(3)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

WRIT PETITION NO. 04 /2002

PETITIONER : N.P.Dixena, S/o Shri J.R.Dixena, aged 57 years, Occupation-Service presently posted as Sub-Engineer, Mahanadi Project, Water Resources Department, Raipur, R/o Geetanjali Nagar, Sector No. 2, House no. 145, Raipur.

-VERSUS-

RESPONDENTS :

1. State of Chattisgarh through Secretary, Water Resources Department, D.K.S.Bhavan, Raipur (C.G.).
2. Engineer-in-Chief, Water Resources Department, Government of Chhattisgarh, Raipur.
3. Chief Engineer, Mahanadi Project, Water Resources Department, Government of Chhattisgarh, Raipur.
4. Superintendent Engineer in the Office of Chief Engineer, Mahanadi Project, Water Resources Department, Government of Chhattisgarh, Raipur.

R. No. 3085/02
Received by Shri R.K. Jain
dated 30.12.02

COPY
30-12-02

WRIT UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDERS OR DIRECTION.

(50)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक WP 41/2003 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

15-1-2004

Shri Rajeev Shrivastava, counsel for the petitioner.

Shri Rajesh Pandey, Govt. Advocate for the State.

Heard.

The petitioner has preferred this petition against the order dated 20-12-2002 passed by respondent No.2 whereby he has been transferred from Raipur to Dantewara.

Learned counsel for the petitioner submitted that the petitioner is serving in the Water Resources Department since 1969. The petitioner is attaining the age of 57 years and thus he is at the fag end of his service career. On 19-9-2002, the Chief Engineer, Mahanadi Project, Raipur passed a transfer order by which the petitioner was posted at Kanker. Against the order dated 19-9-2002 the petitioner submitted a representation to the Chief Engineer stating that he is suffering from hypertension, high sugar and heart ailments. After considering the representation submitted by the petitioner, the Chief Engineer posted the petitioner in the vacant post of Chief Draftsman in the Office of Chief Engineer, Mahanadi Project vide order dated 20-9-2002. Counsel further submitted that only two and half years remain in the retirement of the petitioner and knowing fully well that the petitioner is suffering from heart disease the impugned transfer order dated 20-12-2002

[पीछे देखिये

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक ..... सन् 200

..... विरुद्ध .....

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित — 2 —	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

has been passed. Counsel further submits that the stay order has already been passed in favour of the petitioner.

Having considered the facts and circumstances of the case and without expressing any opinion on the merits of the case, in the opinion of this Court ends of justice will be served if the petitioner is permitted to make a detailed representation along with a copy of this petition 15 days from today before the Competent Authority/respondent and on such representation being filed, the same shall be considered and decided by the Competent Authority as early as possible preferably within two months from the date of receipt of representation in accordance with law after hearing the petitioner. If any adverse order is passed, the petitioner may avail remedy available under the law.

With the direction aforesaid, this petition is disposed of.

Certified copy as per Rules.

Sd/-
Fakhruddin
Judge

Barve

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